

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

LUIS ALBERTO NUNEZ,

Movant/Defendant,

v.

**Nos. 12-cv-1047 WJ/SMV
10-cr-3354 WJ**

UNITED STATES OF AMERICA,

Respondent/Plaintiff.

ORDER TO ANSWER

This matter is before the Court *sua sponte* under rule 4(b) of the Rules Governing Section 2255 Cases, on Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody [CV Doc. 1; CR Doc. 194]. The Court will direct the United States to answer Defendant's motion.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Clerk is directed to forward to the United States of America a copy of Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody [CV Doc. 1; CR Doc. 194] and supporting papers and exhibits, if any, together with a copy of this Order.

IT IS FURTHER ORDERED that, within twenty-three days of entry of this Order, the United States answer Defendant's motion to vacate, set aside or correct sentence.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge